

Docket No. 3553-4057 US1

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Brain Harniman et al. Art Unit: 3629  
Serial No. : 09/716,114 Examiner: T. Dixon  
Filed : November 14, 2000  
For : CONDITIONAL PURCHASE OFFER  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

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GROUP 3600

I. The Examiner's Restriction Requirement

In response to Examiner's restriction requirement dated April 29, 2003, Applicants submit the instant response. The Examiner has required restriction to one of the following patentably distinct groups of claims under 35 U.S.C. § 121:

Group I	-----	Claims 1-14, 73-80, 133-140
Group II	-----	Claims 15-27, 81-88, 141-149
Group III	-----	Claims 28-43, 89-104, 150-165
Group IV		Claims 44-62, 105-122, 166-183
Group V		Claims 63-67, 123-127, 184-189
Group VI		Claims 68-72, 128-132, 190-194

II. Applicants' Election

Applicants elect to pursue prosecution of Group I, claims 1-14, 73-80, 133-140.

This election is made with traverse. Applicants respectfully submit that for a restriction requirement to be proper, "[t]here must be a serious burden on the examiner if restriction is not required." M.P.E.P. §803. Applicant respectfully submits that (1) the three groups of restricted claims are properly presented in the same application; (2) undue diverse searching should not be required; and (3) all claims should be examined together. Applicants respectfully submit that there would be no undue burden on the Examiner to search and examine all groups together. Applicants respectfully request that the Examiner

review the three groups of claims in determining the similar search and examination requirements of the three groups. For the foregoing reasons, it is respectfully submitted that the restriction requirement should be withdrawn and an action on the merits of all the claims is respectfully solicited.

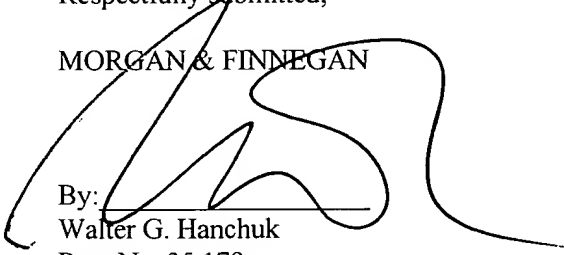
In the event that a telephone conference would facilitate examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

Applicants submit that no fee and no petition for an extension of time are required for filing this Response. However, the Commissioner is hereby authorized to charge any fees which may be required to Deposit Account 13-4500, order no. 3553-4067US1. Any extension of time which may be required is hereby petitioned. A duplicate of this sheet is attached.

Respectfully submitted,

MORGAN & FINNEGAN

Dated: October 27, 2003

By:   
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